

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**ORDER GRANTING ONE HUNDRED SEVENTY-THIRD OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO SUBSEQUENTLY AMENDED CLAIMS**

Upon the *One Hundred Seventy-Third Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Subsequently Amended Claims* (Docket Entry No. 12138, the “One Hundred Seventy-Third Omnibus Objection”),² filed by the Commonwealth of Puerto Rico (“Commonwealth”), the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the One Hundred Seventy-Third Omnibus Objection.

Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), dated March 6, 2020, for entry of an order disallowing in their entirety certain claims filed against the Commonwealth, HTA, or ERS, as more fully set forth in the One Hundred Seventy-Third Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the One Hundred Seventy-Third Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the One Hundred Seventy-Third Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and upon the *Notice of Presentment of Proposed Order (A) Granting in Part the One Hundred Seventy-Third Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Subsequently Amended Claims, (B) Approving Form of Notice for Claims to be Set for Hearing, and (C) Granting Related Relief* (Docket Entry No. 14888, the “Notice”), dated October 23, 2020, for entry of an order disallowing the Remaining Amended Claim, the Amended Claims to Be Disallowed via Notice of Presentment, and the Amended Claims with Undeliverable Addresses (as defined below), as more fully set forth in the Notice; and each of the claims identified in the column titled “Claims to be Disallowed” in Exhibits A, B, and C to the Notice having been amended and superseded by the subsequently filed proofs of claim identified in the column titled “Remaining Claims” in Exhibits A, B, and C, and, upon the record of the hearing held on the One Hundred Seventy-Third Omnibus Objection on January 14, 2021, and the rulings made therein, Proof of Claim No. 164442 having been found to be amended and superseded by a subsequently filed proof of claim; and the Court having determined that the relief sought in the One Hundred Seventy-Third Omnibus Objection

is in the best interests of the Commonwealth, HTA, ERS, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the One Hundred Seventy-Third Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the One Hundred Seventy-Third Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that Proof of Claim No. 164442, identified on Exhibit A hereto (the “Remaining Amended Claim”), the claims identified on Exhibit B hereto (the “Amended Claims to Be Disallowed via Notice of Presentment”), and the claims identified on Exhibit C hereto (the “Amended Claims with Undeliverable Addresses”) are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed to designate the Remaining Amended Claims, the Amended Claims to Be Disallowed via Notice of Presentment, and the Amended Claim with Undeliverable Addresses as expunged on the official claims registry in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 12138 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: March 18, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge